UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS

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No. 6:22-cv-00316

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Dylan Rosilez,
Plaintiff,

v.

Director, TDCJ-CID,
Defendants.

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ORDER

Petitioner Dylan Rosilez, an inmate proceeding pro se, filed an initial pleading styled as a petition under 28 U.S.C. § 2254. The case was referred to United States Magistrate Judge John D. Love.

On August 15, 2022, the court severed the petitioner's challenge to his criminal conviction in Fort Bend County, Texas, and transferred that claim to the United States District Court for the Southern District of Texas for proper venue. Doc. 3. On August 29, 2022, the court ordered the petitioner to clarify the nature of his remaining claims arising from his confinement the Michael Unit of the Texas Department of Criminal Justice by filing an amended pleading pursuant to either 28 U.S.C. § 2241 or 42 U.S.C. § 1983 and either paying the appropriate filing fee or submitting a properly supported application to proceed *in forma pauperis*. Doc. 6. The court received a $5 fee from the petitioner on September 7, 2022, but he did not comply with the order to file an amended pleading.

On November 30, 2022, the magistrate judge issued a report recommending that this case be dismissed for failure to prosecute and to comply with the court's order to file an amended complaint. Doc. 8. A copy of the report was mailed to the petitioner, who received it on December 7, 2022. Doc. 10. Petitioner did not file written objections and has taken no further action since that time to prosecute this case.

When no party objects to the magistrate judge's report and recommendation, the court reviews it only for clear error. *See Douglass v. United Servs. Auto. Ass'n*, 79 F.3d 1415, 1420 (5th Cir. 1996). Having reviewed the magistrate judge's report and being satisfied that it contains no clear error, the court accepts its findings and recommendation. This case is dismissed.

So ordered by the court on March 21, 2023.

J. CAMPBELL BARKER
United States District Judge